

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States of America
v.
Nicolas QUINTANA-Santana
AKA
Hugo DIAZ-QuintanaCase No. **4:25-mj-90**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.


On or about the date(s) of February 22, 2025 in the county of Harris in theSouthern District of Texas, the defendant(s) violated:*Code Section*
8 United States Code 1326

Reentry of Removed Alien

Offense Description

This criminal complaint is based on these facts:

Continued on the attached Affidavit.

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found February __, 2025.
Complainant's signatureMitchell Lundquist, Special Agent
Printed name and title
Judge's signatureCity and state: Houston, TexasDena Hanovice Palermo, U.S. Magistrate Judge
Printed name and title

4:25-mj-90

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Mitchell Lundquist, being duly sworn by telephone, hereby depose and say:

(1) I am a Special Agent (SA) with Homeland Security Investigations (HSI) and have served in that capacity since May of 2019. Prior to this position, I served as a United States Border Patrol Agent and a Deportation Officer with Immigration and Customs Enforcement. I have over 10 years of immigration law enforcement experience.

(2) In August of 2024, I received information from an unaccompanied minor (hereinafter referred to as Minor Victim (MV)), who was fourteen years of age at the time, stating she was sexually assaulted by Nicolas QUINTANA. During the interview, MV stated approximately in June of 2024, Nicolas QUINTANA had sexual intercourse with her. MV stated she is currently pregnant, approximately six weeks along. MV stated the night of the abuse, she had taken a sleeping pill, and an adult female who she lived with let Nicolas QUINTANA into the room of where MV was sleeping. MV stated Nicolas QUINTANA knew of her age, prior to the abuse. MV stated sometime later after the abuse the adult female purchased a pregnancy test for her and was present when MV took the test and when the results came back positive. MV stated she also advised Nicolas QUINTANA of the positive pregnancy test, and MV stated he told her that he will take responsibility of the child and that now she is pregnant, that the MV belongs to him. Also, MV showed HSI SAs the Facebook page belonging to Nicolas QUINTANA and provided his phone number.

(3) After the interview, utilizing the public Facebook page, which was shown by MV, HSI SAs identified Nicolas QUINTANA as Nicholas QUINTANA -Santana (DOB 08/01/1989). HSI SAs confirmed Nicolas QUINTANA-Santana's identity by comparing photos from his Facebook page and his booking photos during his encounters with Immigration Officials.

(4) On February 21, 2025, HSI SAs received a Federal Search warrant signed by U.S. Magistrate Judge Dena Palermo authorizing the GPS Ping of Nicolas QUINTANA-Santana's cellphone.

(5) On February 22, 2025, HSI SAs located Nicolas QUINTANA-Santana within the Southern District of Texas and confirmed that the Defendant, Nicolas QUINTANA-Santana is the same individual as the person referred to in this Affidavit as having been previously deported. Through investigation, SAs discovered he also uses the alias Hugo DIAZ-Quintana.

(6) Based upon the information from immigration records as described below, and my training and experience, I submit that there is probable cause to believe that the Defendant is in violation of 8 U.S.C. § 1326(a) and (b).

(7) Element One: The Defendant is a citizen and national of Mexico and not a native, citizen or national of the United States.

(8) Element Two: The Defendant has previously been deported or removed from the United States on the following occasion(s):

- a. March 23, 2023

(9) Element Three: After deportation, the Defendant was subsequently found in the United States on February 22, 2025, in Houston, Texas, Harris County, Texas, which is within the Houston Division of the Southern District of Texas.

(10) Element Four: The Defendant did not have permission to re-enter the United States. I reviewed the contents of the Alien File associated with this Defendant and/or available database information and found no indication that the Defendant has ever received permission from the Attorney General of the United States, or the Secretary of the Department of Homeland Security, to apply for admission to the United States following deportation from the United States. I intend to request certification of this fact from the Records Branch of the United States Citizenship and Immigration Service.

(11) Prior Criminal History. The Defendant has the following prior criminal history:

- a. On May 8, 2018, the Defendant was convicted of Misdemeanor Contempt: Disobey Court Order in Torrance, California and sentenced to 36 months' probation.
- b. On January 8, 2020, the Defendant was convicted of Felony Carry a Loaded Firearm in Los Angeles, California and sentenced to 180 days confinement and 3 years' probation.
- c. On February 19, 2020, the Defendant was convicted of Misdemeanor Shoplifting in Torrance, California and sentenced to 180 days confinement.
- d. On February 16, 2021, an active arrest warrant was issued for the Defendant by the Los Angeles Sheriff's Office for the charge of Carrying a Loaded Firearm.

On February 22, 2025, I contacted the U.S. Attorney's Office, Southern District of Texas, Houston Division, concerning this criminal complaint. On or about that day, Assistant U.S. Attorney Christine Lu accepted this case for prosecution for a violation of 8 U.S.C. § 1326(a) and (b).



Mitchell Lundquist
Special Agent
Homeland Security Investigations

Signed and sworn telephonically before me on this 22nd day of February 2025, and I find probable cause.



Dena Hanovice Palermo
U.S. Magistrate Judge